



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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Memorandum

Date: May 18, 2016

To: Fran L'Heureux, Chair, & Members, Zoning Board of Adjustment

From: Robert Price, Assistant Planner

Subject: **Jeffrey Kibbie (applicant/owner)** – Variance under Section 2.02.2(B)(3) of the Zoning Ordinance to permit vehicle sales in the C-1 (Limited Commercial) and Aquifer Conservation Districts. The parcel is located at 407 Daniel Webster Highway. Tax Map 5D-4, Lot 097. Case # 2016-23.

The following information is provided to aid in your consideration of the above referenced cases. Additional background and application materials are included in your packet.

Background:

Map 5D-4, Lot 097 is located at 407 Daniel Webster Highway. The parcel is located in the C-1 (Limited Commercial) District at the front half and the I-1 (Industrial) District to the rear. It is also in the Aquifer Conservation District. It is approximately 0.78 acres in size and is serviced by water (MVD) and municipal sewer. The site is the home office for Custom Electric & Communications, LLC, and is abutted by a residential use to the north, DJ Willy to the south, the NH Plating superfund site to the east and vacant land owned by Eversource to the west.

The petitioner, who also owns Custom Electric, seeks to establish a vehicle sales business at the subject property. Specifically, the vehicles proposed for sale are limited to off highway recreational vehicles (OHRV). The existing Custom Electric office space would be utilized for the proposed business. The vehicle display area is proposed to occupy two existing parking spaces, which would still leave enough parking spaces available to satisfy the parking requirements of both businesses located within the C-1 portion of the property.

Standard of Review:

It is the burden of the petitioner to demonstrate that the five criteria for the granting of the variance under Section 2.02.2.B.3 of the Zoning Ordinance have been met to permit a vehicle sales business in the C-1 (Limited Commercial) District.

Cc: Zoning Board File
Correspondence

Ec: Jeffrey Kibbie (applicant/owner)
Building Department Staff
Captain John Manuele, Merrimack Fire Department